



## Department of Public Safety and Correctional Services

### Patuxent Institution

P.O. BOX 700 • 7555 WATERLOO ROAD • JESSUP, MARYLAND 20794  
(410) 799-3400 • FAX (410) 799-7457 • [www.dpscs.state.md.us/pat/](http://www.dpscs.state.md.us/pat/)

STATE OF MARYLAND

ROBERT L. EHRlich, JR.  
GOVERNOR

MICHAEL S. STEELE  
LT. GOVERNOR

MARY ANN SAAR  
SECRETARY

G. LAWRENCE  
FRANKLIN  
DEPUTY SECRETARY

MARY L. LIVERS, Ph.D.  
DEPUTY SECRETARY

RANDALL S. NERO, Ph.D.  
DIRECTOR

February 12, 2004

The Honorable James E. DeGrange, Sr., Chair  
Subcommittee on Public Safety, Transportation and Environment  
James Senate Office Building, Room 120  
Annapolis, Maryland 21401-1991

Dear Senator DeGrange:

A number of questions have been posed concerning inmate behavior and the number of overtime hours incurred due to the use of sick leave. I will address each question below.

### Question #1

**The department should be prepared to discuss the reason for the sharp increase in assaults and why the recidivism rate has remained low.**

### Response:

In order to fully answer this question it is necessary to note that the recidivism rate is based upon the supervision of community parolees from the Eligible Person and Patuxent Youth Programs who have successfully completed the program and who have demonstrated to the Board of Review that they no longer pose a risk to public safety. The assault rate (assault on staff, inmate on inmate assault) is based upon approximately 800 inmates who are incarcerated within the Institution. The Institution houses 10 separate treatment programs for male and female offenders that provide services to an inmate population having a wide array of psychological and mental health needs. The inmate on staff assault rate is primarily driven by two of the clinical populations: mentally ill offenders and youthful offenders. The mentally ill offenders often have both severe mental health problems along with a criminogenic personality disposition that results in assaults via throwing "unknown" liquids on correctional staff. In addition, it should be noted that some inmates admitted to the Mental Health Unit have severe behavioral problems which are not necessarily of a major psychiatric nature, but act out in a manner that increases the frequency of assaultive behavior. Assaults on staff within the youthful population at the Institution (400 inmates) and an additional 164 inmates awaiting evaluation for the Eligible Person and Patuxent Youth Programs is typically the result of correctional staff intervening in disturbances rather than inmates directly targeting the officers as victims in an assault. It should also be noted that the increasing trend in assaults is partly attributed to a shift in population occurring in FY 2000. The institution had previously housed technical parole violators who had a low incidence of acting out behavior however, in FY 2000 the technical parole violators were replaced with Division of Correction inmates who statistically have a higher incidence of behavioral problems. The increase in inmate on inmate assaults is primarily due to the Institution serving an increasingly larger number of younger offenders. These individuals tend to act in an impulsive manner and by the nature of their incarceration at Patuxent generally have a history of violent behavior. A review of the most recent data (7/1/03-12/31/03) has demonstrated a significant downward trend in both areas of assaults. The

number of assaults on staff during this period was 7 and the number of inmate on inmate assaults was 27. The Institution remains committed to addressing these issues in a proactive manner through the application of consistent team management with custody officers and appropriate consequences consistent with inmate behavior.

**Question #2**

**The department should be prepared to discuss the number of overtime hours incurred due to the use of sick leave and how the number is calculated. The department should also be prepared to discuss the overstatement of actual number of sick leave hours used.**

**Response:**

The Patuxent Institution utilizes the automated Staffing Analysis and Overtime Management system (SAOM) as the source for tracking sick leave hours used that result in overtime being incurred by correctional officers within the facility. This system is used throughout the entire Department including the Division of Correction and the Division of Pretrial Detention and Services. All historical sick leave hours reported by the Department have been derived through the summarization of yearly activity within the SAOM automated system.

The overstatement of actual number of sick leave hours used, as referenced in the analyst's comments, cannot be determined at this time. As noted in the testimony during the Office of the Secretary's budget hearing, the legislative auditors briefed the committees on the results of the performance audit to determine the reliability of the Department's Staffing Analysis and Overtime Management (SAOM) system. To summarize, their findings indicated that their existed within the program some calculations which were incorrect. The second major finding was that the data integrity controls were not adequate, which allowed numerous errors in the underlying data used by SAOM in accumulating hours charged by category such as sick leave. As a result of these findings the Department is unable to explain differences in sick leave hours used by correctional officers between fiscal years.

The Department has already prepared a corrective action plan to address the findings of the legislative auditors and will have their recommendations implemented as of July 1, 2004.

Sincerely,



Randall S. Nero, Ph.D.  
Director

Cc: Mary Ann Saar, Secretary  
G. Lawrence Franklin, Deputy Secretary for Administration  
Mary Livers, Ph.D., Deputy Secretary of Operations  
Richard Rosenblatt, Assistant Secretary for Treatment Services  
Diane Lucas, DBM Budget Analyst  
William M. Honablew, Jr., Legislative Analyst  
Susan Dooley, Financial Services Director



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DIRECTOR

February 12, 2004

The Honorable Joan Cadden  
Subcommittee on Public Safety, Transportation and Environment  
Lowe House Office Building, Room 213  
Annapolis, Maryland 21401-1991

Dear Delegate Cadden:

A number of questions have been posed concerning inmate behavior and the number of overtime hours incurred due to the use of sick leave. I will address each question below.

### Question #1

**The department should be prepared to discuss the reason for the sharp increase in assaults and why the recidivism rate has remained low.**

### Response:

In order to fully answer this question it is necessary to note that the recidivism rate is based upon the supervision of community parolees from the Eligible Person and Patuxent Youth Programs who have successfully completed the program and who have demonstrated to the Board of Review that they no longer pose a risk to public safety. The assault rate (assault on staff, inmate on inmate assault) is based upon approximately 800 inmates who are incarcerated within the Institution. The Institution houses 10 separate treatment programs for male and female offenders that provide services to an inmate population having a wide array of psychological and mental health needs. The inmate on staff assault rate is primarily driven by two of the clinical populations: mentally ill offenders and youthful offenders. The mentally ill offenders often have both severe mental health problems along with a criminogenic personality disposition that results in assaults via throwing "unknown" liquids on correctional staff. In addition, it should be noted that some inmates admitted to the Mental Health Unit have severe behavioral problems which are not necessarily of a major psychiatric nature, but act out in a manner that increases the frequency of assaultive behavior. Assaults on staff within the youthful population at the Institution (400 inmates) and an additional 164 inmates awaiting evaluation for the Eligible Person and Patuxent Youth Programs is typically the result of correctional staff intervening in disturbances rather than inmates directly targeting the officers as victims in an assault. It should also be noted that the increasing trend in assaults is partly attributed to a shift in population occurring in FY 2000. The institution had previously housed technical parole violators who had a low incidence of acting out behavior however, in FY 2000 the technical parole violators were replaced with Division of Correction inmates who statistically have a higher incidence of behavioral problems. The increase in inmate on inmate assaults is primarily due to the Institution serving an increasingly larger number of younger offenders. These individuals tend to act in an impulsive manner and by the nature of their incarceration at Patuxent generally have a history of violent behavior. A review of the most recent data (7/1/03-12/31/03) has demonstrated a significant downward trend in both areas of assaults. The

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